

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

TERRY L. BUTLER,)
Plaintiff,)
v.)
ANDREW T. ALEXON,)
Defendant.)
Case No. 1:14-CV-191
Judge Curtis L. Collier

JUDGMENT ORDER

On June 18, 2014, *pro se* Plaintiff Terry L. Butler (“Plaintiff”) filed a complaint (Court File No. 2) against Defendant Andrew T. Alexon (“Defendant”) as well as a motion to proceed *in forma pauperis* (“IFP”) (Court File No. 1). On July 22, 2014, Magistrate Judge William B. Mitchell Carter filed a report and recommendation (“R&R”) concluding that Plaintiff failed to state a claim upon which relief could be granted (Court File No. 7). As the R&R explains, Plaintiff failed entirely to articulate any legal claim; nor did he plead facts that would provide federal jurisdiction. Accordingly, the Magistrate Judge recommended the Court dismiss Plaintiff’s case under 28 U.S.C. § 1915(e)(2).

Because neither party raised an objection to the R&R during the fourteen-day period provided under Rule 72 of the Federal Rules of Civil Procedure,¹ the Court **ACCEPTS** and **ADOPTS** the Magistrate Judge's report and recommendation (Court File No. 7) pursuant to 28

¹Plaintiff filed an Amended Complaint (Court File No. 4) on June 13, 2013, which came within the fourteen-day window to object to the R&R. But because the Amended Complaint was not responsive to the R&R, the Court does not view it as an objection to the R&R. Additionally, after Defendant filed a Motion to Dismiss on July 2, 2013 (Court File No. 5), Plaintiff filed a Response (Court File No. 6) and an Amended Response (Court File 7). Both filings, made July 11, 2013, fell outside the fourteen-day window to respond to the R&R and neither was responsive to the R&R.

U.S.C. § 636(b)(1), **DENIES** Plaintiff's IFP motion (Court File No. 1), and **DIRECTS** the Clerk of Court to **CLOSE** the case.

SO ORDERED.

ENTER:

/s/

CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT

s/ Debra C. Poplin
CLERK OF COURT